

REMARKS

Claims 1-7, 9, 11-18 and 20-26 are pending in this application. By this Amendment, claims 1 and 12 have been amended, and claims 25 and 26 added. Support for the amendment of claims 1 and 12 can be found, for example, in paragraph [0031] of the Application as published (2004/0228656), and support for the addition of claims 25 and 26 can be found, for example, in paragraphs [0030]-[0035] of the Application as published (2004/0228656), and by Figs. 2-4. No new matter has been added.

I. Claim Rejections - 35 U.S.C. §103

In paragraph 2, on page 2 of the Office Action, claims 1-6, 9, 11-15, 17-21 and 23 were rejected under 35 U.S.C. 103(a) as being unpatentable over Yoshikawa (JP 2001-142279) and Nomura et al. (US 6,708,011 B2) in view of Ishida et al. (US 6,783,906 B2); in paragraph 10, on page 5 of the Office Action, claims 7 and 16 were rejected under 35 U.S.C. 103(a) as being unpatentable over Yoshikawa (JP 2001-142279, Nomura et al. (US 6,708,011 B2) and Ishida et al. (US 6,783,906 B2) in view of Omata et al. (US 6,422,356 B2); and in paragraph 11, on page 6 of the Office Action, claims 22 and 24 were rejected under 35 U.S.C. 103(a) as being unpatentable over Yoshikawa (JP 2001-142279), Nomura et al. (US 6,708,011 B2) and Ishida et al. (US 6,783,906 B2) in view of Yamamoto (US 5,066,989).

Claims 1 and 12 call for, among other features, the developer of black color contains more charge control agent than developers of other colors so that the developer of black color is more chargeable than the developers of other colors.

The Office Action admits that Yoshikawa fails to disclose the feature of the developer of a black color is configured to be more chargeable than the developers of other colors. Thus, Yoshikawa neither identifies the problem Applicant addresses nor the solution.

Nomura is solely cited for detachable developing units. This is to overcome another deficiency of Yoshikawa with respect to the claimed invention as discussed in the Amendment filed August 12, 2005.

Ishida is cited to allegedly cure the deficiency of Yoshikawa with respect to the developer of the black color being configured to be more chargeable. However, the combination of Yoshikawa, Nomura and Ishida fails to disclose the claimed invention.

The invention claimed in claims 1 and 12 controls the charge characteristic of the black developer by controlling the amount of charge control agent, whereas the configuration of Ishida controls the charge characteristic by controlling the type of charge control agent.

Additionally, the purpose for controlling the charge characteristic in Ishida is to normalize the abrasion of the image carriers in different colors (col. 15, lines 31-52), which is not relevant to the present invention. Furthermore, Ishida is also silent about collecting the developer. Another distinction is that Ishida uses a two-agent type developer, whereas the invention uses a single-agent type developer.

In addition, there is no motivation to combine the asserted references because Nomura specifically teaches against the asserted combination. Particularly, Nomura teaches that its device is directed towards a mono-component developing agent. Therefore, there is not need of using a carrier such as a two-component developing agent in Nomura (Nomura, col. 23, lines 22-27). However, Ishida specifically teaches that its device is for dual-component developers (Ishida, col. 18, lines 56-67).

According to M.P.E.P. §2414.02(VI), the applied reference must be considered in its entirety. The USPTO cannot merely select portions of the applied reference that are advantageous, but neglect the portions of the applied reference that teach away from the claims. Thus, in view of the contrary teachings in Nomura and Ishida, it would not have

been obvious to one skilled in the art to combine the teaching of Yoshikawa, Nomura and Ishida, as suggested in the Office Action.

Thus, it is respectfully requested the rejection of claims 1-6, 9, 11-15, 17-21 and 23 be withdrawn.

As to the rejection of claim 7 and 16, Omata does not overcome the deficiencies of Yoshikawa, Nomura and Ishida. Further, there is no reason to combine Omata with the other references as Omata teaches a different orientation of the developing units. In Applicant's claimed invention, the most upstream developing unit has the black developer. In Omata, the most downstream developing unit has the black developer (Fig. 2; col. 3, lines 20-24).

Therefore, it is respectfully requested the rejection of claims 7 and 16 be withdrawn.

As to claims 22 and 24, Yamamoto is cited for allegedly teaching a plurality of developing units that are arranged vertically and the developing unit for the black developer is at an uppermost position. However, the black developer unit 43 of Yamamoto is positioned at the bottommost position as clearly shown in Figs. 1 and 2 and discussed in cols. 5, lines 37-67 and col. 7, lines 11-56 of Yamamoto. Furthermore, Yamamoto is directed towards a two-component developer (col. 4, lines 34-35 and claim 1) which is contrary to Nomura. Thus, for the reasons discussed above, there is also no motivation to combine the applied references of Yoshikawa, Nomura, Ishida and Yamamoto.

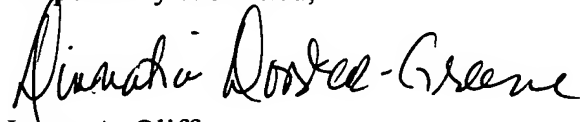
New claims 25 and 26 depend from claims 1 and 12, respectively. Therefore, claims 25 and 26 are allowable for the reasons that claims 1 and 12 are allowable and for the additional features recited therein. Furthermore, claims 25 and 26 are directed towards a developer storing unit having a shape elongated in a horizontal direction. This configuration allows the developer collected from the photoconductor to the developer roller to be more easily mixed with the new developer in the developing storing unit.

II. Conclusion

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance of claims 1-7, 9, 11-18 and 20-26 are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,



James A. Oliff
Registration No. 27,075

Dinna J. Doster-Greene
Registration No. 45,268

JAO:DJG/jnm

Attachment:
Petition for Extension of Time

Date: August 15, 2006

OLIFF & BERRIDGE, PLC
P.O. Box 19928
Alexandria, Virginia 22320
Telephone: (703) 836-6400

DEPOSIT ACCOUNT USE AUTHORIZATION Please grant any extension necessary for entry; Charge any fee due to our Deposit Account No. 15-0461
--